

Senate Study Bill 1200

SENATE FILE _____
BY (PROPOSED COMMITTEE ON LABOR
AND BUSINESS RELATIONS
BILL BY CHAIRPERSON DEARDEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act defining gross negligence by a fellow employee for
2 purposes of negating the exclusive remedy provisions of
3 workers' compensation law.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1822XC 82
6 av/cf/24

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1 1 Section 1. Section 85.20, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. Against any other employee of such employer, provided
1 4 that such injury, occupational disease, or occupational
1 5 hearing loss arises out of and in the course of such
1 6 employment and is not caused by the other employee's gross
1 7 negligence ~~amounting to such lack of care as to amount to~~
~~1 8 wanton neglect for the safety of another. For purposes of~~
~~1 9 this section, "gross negligence" means an act or omission that~~
~~1 10 demonstrates a substantial lack of concern for whether an~~
~~1 11 injury will result.~~

EXPLANATION

1 12 This bill amends Code section 85.20 by redefining what
1 13 constitutes gross negligence by an employee that makes the
1 14 exclusive remedy provisions of workers' compensation law
1 15 inapplicable to an injury claim resulting from that
1 16 negligence.
1 17 For purposes of the bill, "gross negligence" means an act
1 18 or omission that demonstrates a substantial lack of concern
1 19 for whether an injury will result. Currently gross negligence
1 20 means negligence amounting to such lack of care as to amount
1 21 to wanton neglect for the safety of another.
1 22 LSB 1822XC 82
1 23 av:rj/cf/24